

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRIAN WHITAKER,  
Plaintiff,  
v.  
SHAKER ALAWDI, et al.,  
Defendants.

Case No. 21-cv-09122-MMC

**ORDER GRANTING IN PART AND  
DENYING IN PART PLAINTIFF'S  
MOTION FOR FEES AND COSTS;  
VACATING HEARING; DIRECTIONS  
TO CLERK**

Before the Court is plaintiff Brian Whitaker's ("Whitaker") Motion, filed September 16, 2022, "for Fees and Costs Associated With Default Judgment." Defendants Shaker Alawdi and Husam Alawdi (collectively, "the Alawdis") have not filed a response. Having read and considered the papers filed in support of the motion, the Court deems the matter suitable for decision thereon, VACATES the hearing scheduled for October 21, 2022, and rules as follow.

The Court finds Whitaker has established the reasonableness of the work performed in pursuit of his claims against the Alwadis (see Pl.'s Ex. 2), as well as the reasonableness of the hourly rates claimed (see Handy Decl. ¶¶ 3-9; O'Connor Decl. ¶¶ 25-27, 31-40), and, accordingly, to the extent Whitaker seeks an award of attorneys' fees in the amount of \$5,040, the motion is hereby GRANTED.<sup>1</sup>

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<sup>1</sup> By order filed September 2, 2022, the Court, in ruling on Whitaker's motion for default judgment, found Whitaker was entitled to an award of fees in light of the Court's finding that the Alwadis had violated the Americans with Disabilities Act and the Unruh Civil Rights Act.

1 To the extent Whitaker seeks an award of costs in the amount of \$1,437, the  
2 motion is hereby DENIED. Whitaker previously requested an award of costs at the time  
3 he moved for default judgment and the Court, by order filed September 2, 2022, found  
4 the amount of costs properly awarded is \$785.25. In the instant motion, Whitaker fails to  
5 address said prior award, let alone show reconsideration is warranted.

6 Lastly, the Clerk of Court is hereby DIRECTED to file an amended judgment to  
7 reflect the above-referenced award of attorneys' fees in the amount of \$5,040.

8 **IT IS SO ORDERED.**

9  
10 Dated: October 14, 2022

  
MAXINE M. CHESNEY  
United States District Judge

United States District Court  
Northern District of California